

**LEGISLATIVE SERVICES AGENCY  
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**FISCAL IMPACT STATEMENT**

**LS 7051**

**BILL NUMBER:** SB 319

**NOTE PREPARED:** Jan 19, 2007

**BILL AMENDED:**

**SUBJECT:** State Employees or Contractors who Counsel Juveniles.

**FIRST AUTHOR:** Sen. Miller

**BILL STATUS:** As Introduced

**FIRST SPONSOR:**

**FUNDS AFFECTED:** X GENERAL  
X DEDICATED  
X FEDERAL

**IMPACT:** State

**Summary of Legislation:** This bill provides that the Department of Correction, the office of the Secretary of Family and Social Services, the State Department of Health, the Department of Education, the School for the Deaf, the School for the Blind and Visually Impaired, and the Department of Child Services may provide counseling services for children through state employees or individuals under contract only if the state employees or individuals under contract possess certain licenses or certifications. The bill provides that ministers, priests, rabbis, and other members of the clergy are exempt from the licensing or certification requirement.

**Effective Date:** July 1, 2007.

**Explanation of State Expenditures:** This bill provides that the Department of Correction (DOC), Family and Social Services Administration (FSSA), Indiana State Department of Health (ISDH), Department of Education (DOE), School for the Blind and Visually Impaired, School for the Deaf, and the Department of Child Services (DCS) may not provide counseling services for children through state employees or individuals under contract unless the individuals providing the counseling services hold a certain license or certification.

As proposed, the bill would affect the DOC, ISDH, and DCS. The DOE, FSSA, School for the Blind, and the School for the Deaf, report that currently all persons providing counseling services to children are required to be licensed.

*Background Information:* Under the bill, counseling services include:

- (1) evaluating, treating, or giving advice to an individual: (a) who has a mental, emotional, or substance abuse problem; or (b) who seeks: (i) instruction in behavior modification; (ii) advice concerning interpersonal relationships; or (iii) advice concerning problems of daily living, including smoking habits, weight loss, and nutrition;
- (2) assisting individuals in identifying and resolving personal, social, and vocational concerns; and
- (3) applying techniques to help individuals learn how to solve problems and make decisions related to personal growth and vocational, family, social, and other interpersonal concerns.

*Department of Correction:* Under the bill, the DOC is required to develop criteria to identify those functions performed by employees or individuals under contract which are considered counseling services. The provision would increase the administrative duties of the DOC. The DOC should be able to do so within its existing level of resources.

It is not known what criteria will be identified by the DOC. However, the DOC reports that it currently employs 67 persons who provide counseling services for children. The positions include: Psychiatric Social Services Specialist 2 (PSSS2), Psychiatric Social Services Specialist 3 (PSSS3), Substance Abuse Counselor 3, and Substance Abuse Counselor 4. Of the 67 employees, 3 employees (PSSS2 positions) currently hold positions requiring education which would allow for the individual to obtain a license. As proposed, the DOC might need to replace some or all of the remaining 64 employees, depending on the appropriateness of their educational backgrounds with respect to licensure requirements. The educational backgrounds of the employees within this group are not known.

The DOC reports that the starting salary for a PSSS2 is \$32,734 plus fringe benefits (approximately 19%); it is \$29,172 for a PSSS3 (a difference of \$3,562 without and \$4,239 with fringe benefits). Of the employees potentially needing replacement, 57 are PSSS3s. Should all need to be replaced and the DOC replace them with a PSSS2, the DOC would experience an increase in expenditures of approximately \$241,600 initially. Following initial expenditures, increases could continue and would be dependent on salary range and increases.

*Indiana State Department of Health:* The ISDH is responsible for overseeing the Indiana Soldiers' and Sailors' Children's Home. The ISDH reports that the Home currently employs 6 Residential Leaders and 59 Residential Mentors who provide to children services which would qualify as counseling services under the bill. These two positions do not require an educational background which would allow the individuals to obtain a license. Other employees of the Home providing counseling services for children require a license. As proposed, the Home might need to replace some or all of the remaining 65 employees, depending on the appropriateness of their educational backgrounds with respect to licensure requirements. The educational backgrounds of the employees within this group are not known.

*Department of Child Services:* The DCS reports that it currently employs 15 persons who provide services to children which would qualify as counseling services under the bill. The positions include: Adoption, Child Preparation; Chafee Independent Living, Chafee Foster Care Independence Program; Home-Based Casework Services; Therapy-Functional Family Therapy; Home-Based Intensive Family Preservation Services; and Home-Based Intensive Family Reunification Services. These six positions do not require an educational background which would allow the individuals to obtain a license. Other employees of the DCS providing counseling services for children require a license. As proposed, the DCS might need to replace some or all of the 15, depending on the appropriateness of their educational backgrounds with respect to licensure requirements. The educational backgrounds of the employees within this group are not known.

Under the bill, the DOC, ISDH, and DCS would experience an indeterminable increase in expenditures. Persons with higher education typically require a higher salary. Actual increases in salaries as a result of the requirements of the bill are unknown. Increases in expenditures for these agencies would depend on the number of employees needing to be replaced and the difference between the salary of the current employee and the person replacing them.

**Explanation of State Revenues:**

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:**

**State Agencies Affected:** DOC; FSSA; ISDH; DCS; DOE; School for the Blind and Visually Impaired; School for the Deaf.

**Local Agencies Affected:**

**Information Sources:** Tim Brown, DOC; Emily Feldmeyer, DOE; Jim Durst, School for the Blind and Visually Impaired; Rose Hemmelgarn, School for the Deaf; Jim Robertson, FSSA; Cathy Boggs, FSSA; Willard Mays, FSSA; Brain Carnes, ISDH; Lilia Teninty, FSSA; John Ryan, DCS; Celia Laird, DCS.

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